

UNITED STATES COURT OF APPEALS  
FOR THE THIRD CIRCUIT

---

No. 13-4100

---

DAVID WAWRZYNSKI,  
Appellant

v.

H.J. HEINZ COMPANY; H.J. HEINZ COMPANY, L.P.; HEINZ GP LLC.

---

On Appeal from the United States District Court  
for the Western District of Pennsylvania  
District Court No. 2-11-cv-01098  
District Judge: The Honorable Arthur J. Schwab

Submitted Pursuant to Third Circuit L.A.R. 34.1(a)  
July 7, 2014

Before: SMITH, VANASKIE, and SHWARTZ, *Circuit Judges*

---

JUDGMENT

---

This cause came on to be considered on the record from the United States District Court for the Western District of Pennsylvania and was submitted on July 7, 2014.

On consideration whereof, it is now hereby ADJUDGED and ORDERED

that the judgment of the District Court entered June 20, 2012, is hereby VACATED, the orders of the District Court granting summary judgment to Defendants entered on May 16, 2012 and June 20, 2012 are hereby REVERSED, and this cause is REMANDED to the United States District Court for the Western District of Pennsylvania. Costs taxed against Appellees. All of the above in accordance with the opinion of this Court.

Attest:

s/ Marcia M. Waldron,  
Clerk

DATED: July 21, 2014